

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A method of selecting a communication system, comprising:

receiving a first quality indicator for a single current channel by a mobile communication device from a current communication system;  
remaining in communication with the current system;  
receiving a second quality indicator for the same current channel after a predetermined time period in response to the first quality indicator being below a predetermined threshold value;

adding the current channel to a grey zone channel list in a mobile communication device in response to the second quality indicator being below the predetermined threshold value to avoid a grey zone condition, wherein the grey zone condition includes the mobile communication device being able to receive a page on a forward link from the current communication system to the mobile communication device, but a page response or a system access attempt on a reverse link failing because of insufficient transmit power in the mobile communication device caused by a power control measure of the current communication system which permits interference from other mobile communication devices operating on the current communication system;

scanning any channels in a channel scan list in response to the second quality indicator being below the predetermined threshold value;

skipping any channels on the grey zone channel list during scanning to avoid the grey condition; and

acquiring another channel from the channel scan list in response to the other channel having an associated quality indicator greater than or equal to the predetermined threshold value.

2. (Previously Amended) The method of claim 1, wherein the first and second quality indicators each comprise an  $E_c/I_0$  of a code division multiple access (CDMA) pilot channel.

## 3. Canceled

4. (Currently Amended) The method of claim 1, wherein scanning any channels in the channel scan list comprises:

scanning at least channels in a preferred roaming list; ~~and~~

~~skipping any channels on a grey zone channel list to avoid a failure of a page response or access attempt on a reverse link from a mobile communication device to a base station.~~

## 5. Canceled

## 6. Canceled

7. (Previously Amended) The method of claim 1, further comprising:

starting a hysteresis timer in response to the first quality indicator being below the predetermined threshold value;

receiving the second quality indicator after the hysteresis timer expires and before scanning any channels in the channel scan list; and

scanning any channels in the channel scan list in response to the second quality indicator being below the predetermined threshold value.

8. (Previously Amended) The method of claim 1, further comprising performing an initial acquisition scan in response to failing to acquire the other channel having the associated quality indicator greater than or equal to the predetermined threshold value.

9. (Previously Amended) The method of claim 1, further comprising:

starting an initial scan timer before scanning any channels in the channel scan list;

and

performing an initial acquisition scan in response to the initial scan timer expiring and failure to acquire the other channel having the associated quality indicator greater than or equal to the predetermined threshold value.

10. (Original) The method of claim 1, wherein acquiring the other channel comprises acquiring one of a CDMA channel or an Advanced Mobile Phone Service (AMPS) channel.

11. (Original) The method of claim 1, further comprising building the channel scan list, wherein the channel scan list includes channels on alternate systems.

12. (Previously Amended) The method of claim 1, further comprising removing a channel from a grey zone channel list in a mobile communications device after the channel has been in the grey zone channel list for a predetermined period of time.

13. (Original) The method of claim 1, wherein scanning any channels in the channel scan list comprises performing a microscan of any channels on a grey zone channel list.

14. (Original) The method of claim 13, wherein performing a microscan comprises:

receiving a received signal strength indication (RSSI) for a channel in the grey zone channel list; and

comparing the RSSI to one of a threshold value or a previously received RSSI for the channel.

15. (Original) The method of claim 1, further comprising programming the predetermined threshold value over-the-air.

16. (Currently Amended) A method of selecting a communication system, comprising:

receiving a first  $E_c/I_o$  of a single CDMA pilot channel below a grey zone threshold value from a current communication system;

remaining in communication with the current communication system;

receiving another a second  $E_c/I_o$  of the same CDMA pilot channel below the grey zone threshold value after a predetermined period of time and before scanning any channels in the a channel scan list to acquire another communication system; and

scanning any channels on a channel scan list to acquire ~~another~~ a new communication system different from the current communication system and operating in a common geographical area with the current communication system to avoid a grey zone condition in the current communication system in response to the second  $E_c/I_o$  of the CDMA pilot channel remaining being below the a grey zone threshold value for the a predetermined period of time.

17. (Currently Amended) The method of claim 16, further comprising performing an initial acquisition scan in response to failing to acquire ~~another~~ the new communication system.

18. Canceled

19. (Currently Amended) The method of claim 16, further comprising adding the CDMA pilot channel to a grey zone channel list in a mobile communication device in response to the second  $E_c/I_o$  of the CDMA pilot channel being below the grey zone threshold for the predetermined period of time.

20. (Original) The method of claim 19, further comprising removing the CDMA pilot channel from the grey zone channel list after the CDMA pilot channel has been on the grey zone list for a predetermined period of time.

21. (Currently Amended) The method of claim ~~16~~ 19, wherein scanning any channels on the channel scan list comprises one of skipping any channels on the grey zone list or performing a microscan of any channels on the grey zone list to avoid a failure of a page response or access attempt on a reverse link from a mobile communication device to a base station caused by insufficient transmit power in the mobile communication device resulting from a power control measure of the current communication system, wherein the insufficient transmit power permits interference from other mobile stations operating in the current communication system.

22. (Original) The method of claim 16, further comprising performing an initial acquisition scan after terminating a telephone call originated before acquiring the other communication system.

23. (Currently Amended) A communication device, comprising:

a receiver to receive a first quality indicator for a single channel and a second quality indicator for the same channel after a predetermined period of time in response to the first quality indicator being below a predetermined threshold value, wherein the first and second quality indicators are received from a current communication system and the communication device remains in communication with the current communication system during the predetermined period of time;

a channel scan list;

a grey zone channel list, wherein the grey zone channel list includes any channels where the first quality indicator and the second quality indicator are below the predetermined threshold value to avoid a grey zone channel condition, wherein the grey zone channel condition includes the mobile communication device being able to receive a page on a forward link, but failure of a page response or an access attempt on a reverse link from the communication device to a base station caused by insufficient transmit power in the mobile communication device resulting from a power control measure of the current communication system, wherein the insufficient transmit power permits interference from other mobile stations operating in the current communication system; and

a microprocessor adapted to cause scanning of any channels on the channel scan list and to skip any channels on the grey zone channel list in response to the second quality indicator of the channel being below the predetermined threshold value.

24. (Currently Amended) The communication device of claim 23, wherein the microprocessor is adapted to acquire another channel from the channel scan list in response to the other channel having an associated quality indicator greater than or equal to the predetermined threshold value, wherein the other channel is for a new communication system operating in a common geographical area with the current communication system.

25. (Previously Amended) The communication device of claim 23, wherein the quality indicators each comprise an  $E_c/I_0$  of a code division multiple access (CDMA) pilot channel.

26. Canceled

27. (Original) The communication device of claim 23, wherein the channel scan list comprises a preferred roaming list.

28. (Previously Amended) The communication device of claim 23, further comprising a timer to cause the scanning of any channels on the channel scan list in response to the second quality indicator of the channel being below the predetermined threshold for the predetermined period of time.

29. (Original) The communication device of claim 23, further comprising an initial scan timer to cause an initial acquisition scan in response to a failure to acquire another channel from the channel scan list after a selected period of time.

30. (Currently Amended) A computer-readable medium having computer-executable instructions for performing a method, comprising:

receiving a first quality indicator for a ~~single~~ channel from a current communication system;

remaining in communication with the current communication system;

receiving a second quality indicator for the ~~same~~ channel after a predetermined time period in response to the first quality indicator being below a predetermined threshold value;

adding the current channel to a grey zone channel list in a mobile communication device in response to the second quality indicator being below the predetermined threshold value to avoid a grey zone condition, wherein the grey zone condition includes the mobile communication device being able to receive a page on a forward link from the current communication system to the mobile communication device, but a page response or a system access attempt on a reverse link failing because of insufficient transmit power in the mobile communication device caused by a power control measure of the current communication system which permits interference from other mobile communication devices operating on the current communication system;

scanning any channels in a channel scan list in response to the second quality indicator being below the predetermined threshold value;

skipping any channels on the grey zone channel list during scanning to avoid the grey zone condition; and

acquiring another channel from the channel scan list in response to the other channel having an associated quality indicator greater than or equal to the predetermined threshold value.

31. (Previously Amended) The computer-readable medium having computer-executable instructions for performing the method of claim 30, wherein the quality indicators each comprise an  $E_c/I_0$  of a code division multiple access (CDMA) pilot channel.

32. Canceled

33. Canceled

34. Canceled

35. (Previously Presented) The method of claim 1, further comprising preventing hopping between different channels by confirming that the first quality indicator remains below the predetermined threshold for the predetermined time period by receiving the second quality indicator from the same channel.

36. (Currently Amended) A method of selecting a communication system, comprising:  
receiving a first quality indicator for a ~~single~~ channel from a current communication system;  
remaining in communication with the current system;  
receiving a second quality indicator for the ~~same~~ channel after a predetermined time period in response to the first quality indicator being below a predetermined threshold value;  
adding the channel to a grey zone channel list in response to the second quality indicator signal being below a predetermined value, wherein the grey zone channel list includes any

channels having a reverse link from a mobile communication device to a base station capable of being degraded by interference from other communication devices;

scanning any channels in a channel scan list in response to the second quality indicator being below the predetermined threshold value to acquire a new communication system different from the current communication system and operating in a common geographical area with the current communication system to avoid a grey zone condition in the current communication system, wherein the grey zone condition includes the mobile communication device being able to receive a page on a forward link from the current communication system to the mobile communication device, but a page response or a system access attempt on a reverse link failing because of insufficient transmit power in the mobile communication device caused by a power control measure of the current communication system which permits interference from other mobile communication devices operating on the current communication system; and

acquiring another channel from the channel scan list in response to the other channel having an associated quality indicator greater than or equal to the predetermined threshold value.

37. (Previously Presented) The method of claim 36, wherein scanning any channels in the channel scan list comprises skipping any channels on the grey zone channel list.

38. (Currently Amended) The method of claim 36, further comprising avoiding [a] the grey zone condition by skipping any channels on the grey zone channel list during scanning, ~~wherein the grey zone condition comprises the mobile station having insufficient transmit power to hold onto a paging channel because of power control measures within the communication system.~~

39. (Currently Amended) The method of claim 36, further comprising preventing channel hopping by receiving the second quality indicator ~~from the same channel~~ after the predetermined time period.

40. (New) The method of claim 1, wherein acquiring another channel from the channel scan list comprises acquiring another channel of a new communication system operating in a common geographical area with the current communication system.